

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PAUL CURHAN

COMPLAINANT

VS.

THE UNION LIGHT, HEAT AND POWER COMPANY

DEFENDANT

CASE NO. 92-442

O R D E R

Complainant requests that the scheduled hearing in this proceeding be moved to Cincinnati, Ohio, or alternatively, that he be permitted to testify by telephone in lieu of appearing in person. In support of his request, Complainant states that the expense of traveling to the Commission's offices to attend the hearing would exceed the amount in controversy and would impose a financial hardship upon him.

After considering the request and being otherwise sufficiently advised, the Commission finds that Complainant's request should be denied. While empathizing with Complainant's position, the Commission finds that the public interest would not be served by moving these proceedings. The expense of such relocation would be much greater than any which the Complainant may incur.

The Commission further finds that use of telephonic testimony poses several problems. Telephonic testimony offers no means of verifying a witness's identity. It prevents the Defendant and the

Commission from viewing a witness's demeanor. By preventing the use of physical exhibits in cross-examination, it limits Defendant's and the Commission's ability to conduct meaningful cross-examination.

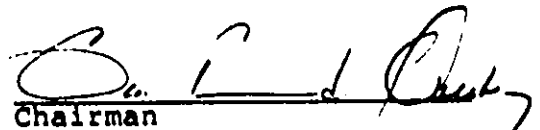
IT IS THEREFORE ORDERED that:

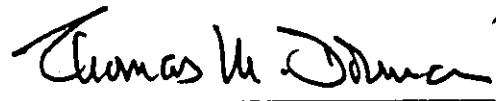
1. Complainant's request for relocation of the scheduled hearing or, alternatively, to testify by telephone are denied.

2. The hearing in this matter shall proceed as scheduled. Failure of any party to appear may be considered as grounds for adverse judgment.

Done at Frankfort, Kentucky, this 19th day of February, 1993.

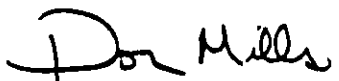
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director